

REMARKS

By this amendment, Applicant has amended independent claims 1 and 10 to recite that the virtual node tree does not contain actual document data. This amendment is supported by, e.g., the description at page 20, lines 3-6 of Applicant's specification.

Claims 1-3 and 10-13 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. patent application publication number 2004/0049737 to Simon Hunt et al. Claims 5, 7, 15 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Simon Hunt et al. Applicant traverses these rejections and request reconsideration thereof.

The present invention relates to a method of representing a document written in a markup language on a mobile terminal and to a mobile phone including a memory, a display and a set of software components that carry out the method. The method includes providing a virtual node tree describing the structure of the data types in the document but not containing actual document data. Each one of the nodes in the virtual node tree respectively corresponds to one element of a specific data type in the document. For each one of the nodes in the virtual node tree, the method provides a data array including information identifying the relationship of the node to the other nodes in the virtual node tree and a reference indicating the location of data corresponding to the node. The method then obtains, by a set of software components in the mobile terminal, the data corresponding to the nodes using the reference included in the data array.

The application of Simon Hunt was published March 11, 2004, i.e., after Applicant's filing date of December 29, 2000. The Examiner alleges the Simon Hunt et al. publication to be prior art under 35 U.S.C. 102(e). However, the filing date of the Simon Hunt application is October 25, 2002, i.e., again after Applicant's filing date. However, the Simon Hunt et al. application is a continuation-in-part of application number 09/842,474, filed April 25, 2001 and serial number 09/843,036, filed April 25, 2001, and claims benefit of the filing date of provisional application number 60/199,858 filed April 26, 2000. Only the provisional application number 60/199,858 has a filing date prior to Applicant's filing date. Accordingly, the Simon Hunt et al. publication can be available as prior art, at the most, for what is disclosed in provisional application number 60/199,858.

Provisional application number 60/199,858 does not disclose and would not have suggested the method or mobile phone presently claimed in which a virtual node tree is used that describes the structure of the data types in the document but does not contain actual document data. Therefore, the Simon Hunt et al. publication does not disclose nor would not have suggested the presently claimed invention.

Claims 4, 6, 8, 9, 14, 16, 18 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Simon Hunt et al. in view of U.S. patent number 6,567,815 to Rubin et al. and U.S. patent application publication number 2002/0143521 to Call. Applicant traverses this rejection and request reconsideration thereof.

The patent to Rubin et al. discloses a technique for improving the performance by binary tree operations that involves defining a implicit binary tree

structure and a memory array, and clustering of the nodes of the tree in a memory in a cache-aware manner. The technique reduces memory latency by improved spatial locality of the binary tree data, and further improves cache performance through reduced size of the data objects resulting from elimination of pointers to other nodes of the tree.

It is not clear from the statement of the rejection in numbered section 6 of the Office Action how the Examiner is applying the Rubin et al. However, it does not appear that the Rubin et al. patent remedies the basic deficiencies noted above with respect to Simon Hunt et al.

The Call publication discloses methods and apparatus for storing and manipulating variable length and fixed length data elements as a sequence of fixed length integers. The Examiner has cited the Call publication as allegedly disclosing various steps or elements set forth in Applicant's dependent claims. However, it is submitted nothing in Call remedies the basic deficiencies of Simon Hunt et al. noted above. Accordingly, it is submitted claims 4, 6, 8, 9, 14, 16, 18 and 19 are patentable over the proposed combination of references, at least for the reasons noted above.

In view of the foregoing amendments and remarks, favorable consideration and allowance of all of the claims now in application are requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the


U.S. Application No. 09/750,144

deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No.

01-2135 (referencing attorney docket no. 730.39161X00).

Respectfully submitted,

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